THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :12589 of 2007

DATED:18-06-2007

BETWEEN:

Chetti Geetha Rani.

..... PETITIONER

AND

The Revenue Divisional Officer/Land Acquisition Officer,
Siricilla,
Karimnagar District & another.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Land Acquisition appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in not considering the representation of the petitioner, dated 01-05-2007, which is made for payment of compensation for acquiring the house bearing No.1-81/A belonging to the petitioner situated at Chintaltana village, Siricilla mandal, Karimnagar District, as illegal and arbitrary.

3. Learned counsel appearing for the petitioner submits that originally one Smt.Janamma was the owner of the agricultural land of an extent of Ac.1.07 guntas in Sy.No.236/A; 16 ½ guntas in Sy.No.234; and 31 guntas in Sy.No.215/A totalling
Ac.2.14 guntas, bequeathed in favour of the petitioner. The said lands are situated at Chinthaltana village, Sircilla mandal, Karimnagar District but the petitioner is residing at Sircilla mandal and not at Chintaltana village for the last four years in the house bearing No.1-81/A and therefore the required particulars with regard to the submergence of the lands situated at Chinthaltana village which are going to be submerged in Mid Manair Project could not be obtained from the petitioner. It is stated that the particulars of the properties of all the other owners have been taken except the particulars of the

petitioner's property during the end of April, 2007 and therefore, the petitioner made a representation, dated 01-05-2007, before the 1st respondent to record the residence of the petitioner at Chinthaltana village, but no action has been taken so far. Hence, the present Writ Petition.

4. I am of the opinion that before acquiring the lands it is the duty of the Land Acquisition Officials to conduct enquiry and note down all structures and physical features of the properties and merely because the petitioner is not residing in the village, it cannot be said that the particulars of the house of the petitioner situated in the said village will not be noted down. However, this Writ Petition is filed by the petitioner on a mere apprehension that the officials are not going to record the particulars of the house and the land of the petitioner and the said apprehension is premature and without any foundation whatsoever. Therefore, I am not inclined to entertain this Writ Petition.

5. Accordingly, the Writ Petition is dismissed. No order as to costs.

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V.ESWARAIAH,J

18th June, 2007.
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